RESPONSE TO COMMENTS FROM VALERO ASPHALT PLANT

The Valero Asphalt Plant comments are organized in this manner: the refinery submitted a strikeout/underline copy that showed the changes that they requested. Following each section is a spreadsheet that briefly explains the reason for each proposed change.

The following response first addresses several broad categories of comments. Second, a response is given to detailed comments if the item was not addressed in the first section. Corrections of minor typographical and formatting errors are not discussed.

Section 1:

The following are broad categories:

1. Rule dates and SIP rule dates

Comments were submitted regarding the dates of rules and SIP rules. In some cases, the dates have been changed because they were in error or because rules were adopted or approved since the permit was originally drafted. In particular, the following rules were amended by the District:

- Regulation 5, Open Burning, last amended 3/6/02
- Regulation 8, Rule 3, Architectural coating, last amended 11/21/01

The dates of the following rules were corrected:

- Regulation 8, Rule 5, Storage of Organic Liquids, last amended 11/27/02
- Regulation 8, Rule 15, Emulsified and Liquid Asphalts, last amended 6/1/94

The following rules were approved into the SIP:

• Regulation 8, Rule 5, adopted by the District on 12/15/99 and approved by EPA on 10/10/01. Therefore, the 1/20/93 version that was in the SIP no longer applies.

Obsolete future effective dates have been deleted from the permit.

The dates of the SIP rules are intended to be the last date of EPA approval, as stated in the beginning of Sections III and IV of the permit. In some cases, the effective date of the rules (30 or 60 days after publication of the final rule in the federal register) has been used. These have been corrected so that the dates of all SIP rules are the dates that the approval appeared in the federal register. The proper date is not the date that the rule was adopted by the District. It is easy to tell which version of the rule has been approved into the SIP because EPA Region IX now maintains a website containing all of the Region IX SIPs including files containing the current SIP rules. The address is included in the last section of the permit.

2. Federal Enforceability

Various corrections have been made regarding federal enforceability of District regulations. In particular, only a few sections of Regulation 9, Rule 10, Nitrogen Oxides and Carbon Monoxide from Boilers, Steam Generators and Process Heaters in Petroleum Refineries, are federally enforceable.

2. <u>Tank Cleaning Requirements</u>

As requested, the requirement for tank cleaning equipment, Regulation 8-5-328.2, has been moved to the general refinery table in Section IV because it applies to the equipment and not to each tank. The requirement that the system be operated until the concentration of organic compounds in the tank is less than 10,000 ppm expressed as methane remains in the tank tables. Regulations 8-5-502 and 8-5-603.2, which also apply to the tank cleaning equipment, will not appear in the tank tables.

3. Liquid Balancing

The citation for liquid balancing, Regulation 8-5-328.1, has been deleted from all tank tables at the facility's request because the facility does not use this option for tank cleaning.

4. Regulation 6-305

The facility requested that this applicable requirement be deleted from various tables in Section IV. The section will be retained because it does apply. If particles fall only on refinery property, it is clear that the regulation is not triggered.

5. Regulation 8, Rule 5

All tank tables have been amended because Regulation 8, Rule 5 was amended on 11/27/02.

6. <u>Citation of Condition 1240, Part I.18 in Section IV and VII tables</u> The citations have been corrected in all tables.

Also, the citation no longer mentions calculations of SO2 emissions because the potential to emit for SO2 is much lower than the refinery SO2 cap.

The frequency of emission calculations will not be reduced because the District does not consider that the margin of compliance is high unless the estimated potential to emit is 25% of the limits or less.

7. Regulation 9, Rule 10

Citation of Regulation 9-10-303, Emission Limit For Facility (Federal Requirements), has been added for process heaters greater than 10 MMbtu/hr: S19, S20, S21.

The citation of Regulation 9-10-403, Compliance Date, Clean Fuel Extension Allowance, has been deleted because it is obsolete.

8. Mist Eliminators

The permit conditions have been amended to allow use of alternate mist eliminators before a combustion control device.

Section 2:

Detailed Items:

1. Section II, Equipment List

All requested name changes have been made to the source list and in the permit. A minor capacity change was made to S12, Tank #6, Wastewater Tank. A correction has been made to A23: it is a carbon canister and not a mist eliminator. A11 and A12, Carbon Absorption Drums, have been deleted and replaced by A23 and A24, Carbon Canisters. S26 is abated by A23 and A24, Carbon Canisters. S28 and S70 have been added to the list of equipment abated by A31 and S24. The applicable requirement for the carbon canisters has been corrected from 40 CFR §§ 61.349(a)(1)(i) to 61.349(a)(2)(ii).

2. Section III, Generally Applicable Requirements

Regulation 8, Rule 28, Episodic Releases From Pressure Relief Devices
At Petroleum Refineries And Chemical Plants

Valero requested that Regulation 8-28-302 be added to Table III. Since it is not a generally applicable requirement, it has been added to the general refinery table in Section IV. The SIP regulation, 8-28-301, Pressure Relief Valves, has also been added.

The Asbestos NESHAPS has been added to this section.

3. Section IV, Source-Specific Applicable Requirements

General Refinery Requirements

Fugitive emission requirements in 40 CFR 61, Subpart FF:

The fugitive sections of Subpart FF have been deleted from the General Refinery Table because they are in the Components table.

NMHC and NOX calculations

Condition 1240, parts I.18a and I.18j have been added to the general refinery table.

S1, S2, S4, S23, Crude Storage Tanks

BAAQMD Regulation 8-5-401 has not been deleted from the table for S1, S2, S4, and S23, Crude Storage Tanks. The parallel SIP Regulations 8-5-401 and 402 have not been deleted either. Also, the permit shield

section that shields from these requirements has been deleted. The reason is that the permit condition requiring inspection refers back to the regulation to determine the items that will be inspected.

BAAQMD Regulation 8-5-603 has been deleted from the table for S1, S2, S4, and S23, Crude Storage Tanks because it applies to the emission control system, not the tanks. This requirement is in the general refinery table.

S3, Gas Oil Storage Tank, TK-1C

Condition 1240, part II.58b has been added to the tables for Sources S3, S12, S13, S31, S41, S54, S59, S63, S66, and S67 because they are controlled by A31 and/or S24 and have a 98.5% control requirement.

S5-S8, S37, S38, Asphalt Storage Tanks

Condition 1240, part II.58b has been added to the tables for Sources S3, S12, S13, S31, S41, S54, S59, S63, S66, and S67 because they are controlled by A31 and/or S24 and have a 98.5% control requirement.

S9, Naphtha Storage Tank

40 CFR §§ 63.640(n)(8)(i), (ii) and (vi) were deleted from the table for S9 because they apply only to external floating roof tanks.

S12, Wastewater Tank

No change was made to the citation of 40 CFR § 63.343 for S12, Wastewater Tank, because it is sufficiently specific.

S13, Kerosene Tank

Regulation 8, Rule 5, Sections 503, 603, and 603.1 have been added to the table for S13 as requested.

40 CFR §§ 60.112b(b) and 60.112b(b)(1) have been deleted from the table for S13 because the tank is not at 11 psia or more.

40 CFR §§ 60.116b(e)(1), 60.116b(e)(2)(i), and 60.116b(e)(2)(ii) have been deleted from the table for S13 because they do not apply to fixed roofs tanks with vapor recovery.

S19, Vacuum Heater

BAAQMD Manual of Procedures, Volume V, Continuous Emission Monitoring Policy and Procedures was not deleted from the table because the H2S monitor is subject to these requirements.

Temperature monitoring has been deleted from the requirements for S19 since 40 CFR 63, Subpart CC requires no monitoring for process heaters where the vent stream is introduced into the flame zone.

Performance Specifications 3 and 5 from 40 CFR 60, Appendix B, were deleted from Table IV-M because they apply to O2, CO2, and TRS monitors. The source does have an O2 monitor, but it is not subject to the NSPS.

S24, Hot Oil Heater

40 CFR § 60.110b(a) has been deleted from the table for S24 because it does not apply to abatement devices.

40 CFR § 60.112b(b)(1) has been deleted from the table for S24, Hot Oil Heater, because S24 does not abate any tanks with material at 11 psia or more.

The following sections of the NSPS were not deleted because they all apply directly to the source: 40 CFR §§ 60.113b(c), 60.115b(c)(1), 60.115b(c)(2), and 60.116b(a). They concern testing, reporting, recordkeeping, and record retention for control devices.

40 CFR §§ 61.349 and 61.354 were added because they apply to the source. They are control device requirements and control device monitoring requirements.

BAAQMD Regulation 1-107, Combination of Emissions, was added to the table for S24, Hot Oil Heater, and A31, Thermal Oxidizer because the devices are subject to several standards.

S25, S28, Effluent Water Feed Tanks

The tables for S25 and S28, Effluent Water Feed Tanks, have been combined.

S26, Wastewater Tank

40 CFR §§ 61.349(c) and 61.349(c)(1) have been added to the table because the abatement efficiency of the control device is determined by engineering calculations.

S30, Marine Loading Dock

Condition 1240, part I.14 has been deleted from the table for S30, Marine Loading Dock, because it is specifically excluded in the condition.

S31, Rail Car Gas Oil and Asphalt Loading Rack

Condition 1240, part II.58b has been added to the tables for Sources S3, S12, S13, S31, S41, S54, S59, S63, S66, and S67 because they are controlled by A31 and/or S24 and have a 98.5% control requirement.

S32, LGO Stripper

The citation for 40 CFR § 63.645(a) has been corrected for S32, LGO Stripper. The citation for 40 CFR § 63.645(i), Compliance determination for visible emissions has been deleted because there appears to be no visible emissions requirement and the method specifies that it is used for flares and fugitive emissions. The citation for 40 CFR § 63.654 has been deleted because the requirement is included in the general Refinery Table.

S41, Wemco Hydrotreater

Condition 1240, part II.58b has been added to the tables for Sources S3, S12, S13, S31, S41, S54, S59, S63, S66, and S67 because they are controlled by A31 and/or S24 and have a 98.5% control requirement.

S54, Asphalt Loading Rack

The requirements for Regulation 8, Rule 6, Organic Liquid Bulk Terminals and Bulk Plants, were corrected for S54 because the source does not handle materials with a vapor pressure higher than 0.5 psia.

S59, Gas Oil Tank

40 CFR §§ 60.112b(b) and 60.112b(b)(1) have been deleted from the table for S59 because the tank is not at 11 psia or more.

40 CFR §§ 60.116b(e)(1), (2)(i), and (2)(ii) have been deleted from the table for S59 because they do not apply to fixed roofs tanks with vapor recovery.

S63, Tanks 31

40 CFR §§ 60.112b(b) and 60.112b(b)(1) have been deleted from the table for S63 because the tank is not at 11 psia or more.

40 CFR §§ 60.116b(e)(1), (2)(i), and (2)(ii) have been deleted from the table for S63 because they do not apply to fixed roofs tanks with vapor recovery.

S67, Recovered Oil Tank

40 CFR § 61.343(a)(1)(ii) was not deleted from the table for S67, Recovered Oil Tank, because it is a source that stores benzene-containing waste.

40 CFR § 61.349(a)(1)(i)(A) was deleted from the table for S67, Recovered Oil Tank, because it is in the component table.

S68, Emergency Diesel-powered Firewater Pump

The opacity standard for S68, Emergency Diesel-Powered Firewater Pump, has been corrected from Regulation 6-301 to 6-303.1.

Several permit conditions have deleted for this source because they are equivalent to applicable sections in Regulation 9, Rule 8, Nitrogen Oxides and Carbon Monoxide from Stationary Internal Combustion Engines.

S69, Asphalt Additive Loading Bin

A table has been added for S69, Asphalt Additive Loading Bin. This small source had no permits.

S70, Asphalt Additive Mixing Tank

A table has been added for S70, Asphalt Additive Mixing Tank. This small source had no permits. The requirements are similar to the requirements for the asphalt tanks.

Components

40 CFR § 61.349(f), Visual inspection of closed vent system and control device, has been added to the components table.

40 CFR §§ 63.640(a), Applicability, and 63.642(c), Recordkeeping for 5 years, were not deleted from the Components table because they are applicable.

40 CFR § 63.654(d), Recordkeeping and Reporting, was added to the Components table.

A31, Thermal Oxidizer

40 CFR § 60.110b(a) was deleted from the table for A31, Thermal Oxidizer, because it applies to the tank, not the abatement device.

40 CFR § 60.112b(b)(1) was deleted because it applies to tanks that store liquids with a vapor pressure over 11 psia.

40 CFR § 60.113b(c) was not deleted from the table for A31, Thermal Oxidizer, because there is no confusion about the parts that apply to the abatement device.

40 CFR §§ 60.113b(c)(2), 60.115b(c)(1), 60.115b(c)(2) and 60.116b(a) were not deleted from the table for A31, Thermal Oxidizer, because they are requirements from the Tank NSPS that apply to the abatement device.

40 CFR § 60.473(d) was not deleted from the table for A31, Thermal Oxidizer, because it is a requirement from the Asphalt Processing NSPS that applies to the abatement device.

40 CFR § 61.343(a)(1) was deleted from the table for A31, Thermal Oxidizer, because it is a requirement from the Benzene Waste NESHAPS applies to the closed vent system, not the abatement device.

40 CFR §§ 61.349(a), and 61.349(b) were not deleted from the table for A31, Thermal Oxidizer, because there is no confusion about the parts that apply to the abatement device.

40 CFR § 61.349(a)(1) was deleted from the table for A31, Thermal Oxidizer, because it applies to the closed vent system, not the abatement device.

40 CFR §§ 61.349(c), (c)(1), (e), (f), (g), and (h) were not deleted from the table for A31, Thermal Oxidizer, because they are requirements from the Benzene Waste NESHAPS that apply directly to the abatement device.

40 CFR §§ 61.356(a), (d), (f), and (j) were deleted from the table for A31, Thermal Oxidizer, because they are general requirement that have been placed in the Refinery table.

BAAQMD Regulation 1-107, Combination of Emissions, was added to the table for S24, Hot Oil Heater, and A31, Thermal Oxidizer because the devices are subject to several standards.

4. Section VI, Permit Conditions

Changes to Condition 1240:

Part I.16:

The frequency of source testing cannot be reduced at S19, Vacuum Heater, because it is subject to the NOx and CO monitoring for Regulation 9, Rule 10.

The requirement for testing at 33 MMbtu/hr will be changed to "the highest fired duty possible for the prevailing process conditions" at the facility's request.

The frequency of monitoring for the 98.5% destruction requirement was inadvertently increased from every 24 months to every 6 months because the monitoring for NOX and CO is on a semi-annual basis. The condition has been split into 2 parts: Part 16a requires semi-annual source tests for NOX and CO; part 16b requires source tests every two years for destruction efficiency.

Part I.18

S70, Asphalt Additive Mixing Tank, has been added to Condition 1240, part I.18c.

S67, Recovered Oil Tank, has been added to Condition 1240, part I.18e.

Part II.13

The condition text has been modified to clarify that the quarterly inspections apply to secondary seals and fittings per 8-5-302 requirements.

The proposed clarification to the condition: "The quarterly inspections will include all items required by Regulations 8-5-401, and 8-5-402, as well as all items required by 40 CFR §§ 60.113b(b)(1)(i) and (ii)." will not be deleted because the original condition did not specify what was included in the inspection.

Part II.47

S70, Asphalt Additive Mixing Tank, has been added to the list of sources.

Part II.49

S70, Asphalt Additive Mixing Tank, has been added to the list of sources.

Part II.50

S70, Asphalt Additive Mixing Tank, has been added to the list of sources.

Part II.55

S70, Asphalt Additive Mixing Tank, has been added to the list of sources.

Part II.58

S70, Asphalt Additive Mixing Tank, has been added to the list of sources.

Part II.58b

Regulation 2-6-409.2.2 has been added as a basis for the condition.

Part II.92

The source cited in the condition has been corrected to S41.

Part III.7

The basis for the condition has not been changed because there is no other authority for the condition.

Part III.8

The basis for the condition has not been changed because there is no other authority for the condition.

Changes to Condition 18796:

Parts 2-6 have been removed because they are identical to Regulation 9, Rule 8, which is cited in Table IV-AJ.

Changes to Condition 20278

This condition was added for Sources S69, Asphalt Additive Loading Bin. and S70, Asphalt Additive Mixing Tank, which were permitted on 1/15/03. The condition has been modified from the original application, #6310, to clarify that the public nuisance requirement is not federally enforceable and to make corrections to the bases for the conditions.

5. <u>Section VII, Applicable Limits and Compliance Monitoring Requirements</u> Refinery Table

Regulation 9-1-310.3 was deleted from the monitoring requirement citation for ambient SO2 because it applies to coke calcining kilns and the facility does not have a coke calcining kiln.

The citation for the Refinery MACT Startup, Shutdown, and Malfunction Report was corrected in the monitoring requirement citation for ambient H2S.

The citation for Regulation 9-1-313.2 for H2S in process water streams was deleted because the facility does not have water containing H2S.

The citation for Regulation 8-5-328.2 for VOC concentration was deleted because it applies specifically to tanks. This citation will appear in the tank tables.

S1, S2, S4, S23, Crude Storage Tanks

BAAQMD Regulation 8-5-401.1 and 8-5-404.1 were not subsumed by the permit shield because the permit condition refers to these requirements.

S9, Naphtha Storage Tank

BAAQMD Regulation 8-5-322.3 was not removed from this table. Although Regulation 8-5-322.5 is more stringent, Regulation 8-5-322.3 still applies.

S12, Wastewater Tank

40 CFR § 61.349(a)(1)(i)(A) was deleted from the table because it is in the component table.

40 CFR § 61.349(f), Visual inspection of closed vent system, etc., has been added to the table for this source.

S18, Crude Unit

The monitoring for destruction efficiency at the abatement device for this source (S19, Process Heater) has not been changed from source testing to temperature monitoring.

S19, Process Heater

The monitoring for NOx concentration, CO concentration, and VOC destruction efficiency has not been changed from source testing to temperature monitoring since the source is subject to the BAAQMD Regulation 9, Rule 10 monitoring policy.

BAAQMD Regulation 9-10-303 has been added to this table.

The Regulation 9, Rule 10, operating day average has been added to this table.

S20, Steam Boiler

BAAQMD Regulation 9-10-303 has been added to this table.

The Regulation 9, Rule 10, operating day average has been added to this table.

S21, Steam Boiler

BAAQMD Regulation 9-10-303 has been added to this table.

The Regulation 9, Rule 10, operating day average has been added to this table.

S25, S28, Effluent Water Feed Tanks

40 CFR § 61.349(f), Visual inspection of closed vent system, etc., has been added to the table for these sources.

S26, Skimmed Oil Tank

40 CFR § 61.349(f), Visual inspection of closed vent system, etc., has been added to the table for this source.

S27, Recovered Oil Tank

40 CFR § 61.349(f), Visual inspection of closed vent system, etc., has been added to the table for this source.

S32, LGO Stripper

The monitoring for destruction efficiency at the abatement device for this source (S19, Process Heater) has not been changed from source testing to temperature monitoring.

S41, Wemco Hydrotreater

40 CFR § 61.349(f), Visual inspection of closed vent system, etc., has been added to the table for this source.

S66, Oil Water Separator

40 CFR § 61.349(f), Visual inspection of closed vent system, etc., has been added to the table for this source.

S67, Recovered Oil Tank

40 CFR § 61.349(a)(1)(i), Operations with fugitive emissions less than 500 ppmv, has been deleted because this requirement is in the Components table.

40 CFR § 61.349(f), Visual inspection of closed vent system, etc., has been added to the table for this source.

S68, Emergency Diesel-powered Firewater Pump

The fuel sulfur limit pursuant to Condition 18796, Part 1, has been corrected to 0.05% sulfur by weight. The limit is not federally enforceable.

S69, Asphalt Additive Loading Bin

A table has been added for this source. It was not permitted at the time of the original application.

S70, Asphalt Additive Mixing Tank

A table has been added for this source. It was not permitted at the time of the original application. The requirements are similar to the requirements for the asphalt tanks.

Components

40 CFR § 61.349(f), Visual inspection of closed vent system and control devices, has been added to the components table.

6. Section VIII, Test Methods

A test method was added for Regulation 8-6-603.

The BAAQMD Manual of Procedures, Volume V-Continuous Emission Monitoring Policy and Procedures was not added to this section because it is not a test method.

7. Permit Shield

The shield from BAAQMD Regulation 8-5-401.1, 8-5-402.1, 8-5-404.1, and 8-5-404.2.1 has been deleted since the permit condition requiring monitoring refers to these standards.